

**Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382**

Final

**AIR QUALITY PERMIT
Issued under 401 KAR 52:030**

Permittee Name: Ingersoll Rand Company
Mailing Address: 101 Industrial Drive, Campbellsville, KY 42718

Source Name: Ingersoll Rand Company
Mailing Address: 101 Industrial Drive
Campbellsville, KY 42718

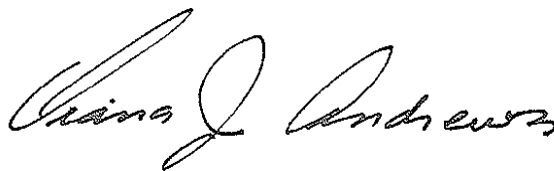
Source Location: 101 Industrial Drive

Permit ID: F-08-005
Agency Interest #: 4002
Activity ID: APE20070001
Review Type: Conditional Major, Operating
Source ID: 21-217-00013

Regional Office: Bowling Green Regional Office
1508 Westen Avenue
Bowling Green, KY 42104
(270) 746-7475

County: Taylor

Application
Complete Date: December 12, 2007
Issuance Date: May 1, 2008
Revision Date: April 25, 2008
Expiration Date: May 1, 2013



**John S. Lyons, Director
Division for Air Quality**

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	Permit type	Activity#	Complete Date	Issuance Date	Summary of Action
F-08-005	Initial	APE20070001	12/14/07	5/25/2008	Initial Operating Permit

SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first submitting a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:030, Federally-enforceable permits for non-major sources.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

EP 50 **Shotblast Machine** (BCP Two Wheel Spinner Hanger Blast Machine)
Maximum Steel Shot Throughput: 30 lbs/hr
Control Device: Cartridge & Rigid Cell Filters
Control Efficiency: 90%
Construction Date: 1987

Description:

The steel shotblasting unit is used as a preparation step before powder coating.

APPLICABLE REGULATIONS:

401 KAR 59:010, New process operations, is applicable to each affected facility or source, associated with process operations, which are not subject to another emission standard with respect to particulate matter emissions commenced after July 2, 1975.

1. Operating Limitations:

- a. The filters shall be operated and maintained in accordance with the manufacturer's specification and shall be in place at all times when the affected facility is in operation.
- b. Filters shall be replaced when determined to be inefficient.
- c. The usage of raw materials in the affected facility shall be limited so that the emissions limitations set forth in item 2, below, are not exceeded.

2. Emission Limitations:**401 KAR 59:010, Section 3**

- a. For emissions from a control device or stack no person shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of 2.34 pounds/hour.

Compliance Demonstration Method:

To determine particulate emissions from abrasive metal cleaning operations:

Average Particulate Emission Rate (lbs per hour) = Steel Shot usage rate (lbs per month) x emission factor (lbs per lbs of shot used) x (1- Control Efficiency) / hours of operation (hours per month)

Note: PM emission factor for the abrasive cleaning of metal parts is 8.0 lbs/ton and was obtained from the BAAQMD handbook for unabated confined abrasive blasting using shot

- b. No person shall cause, suffer, allow or permit any continuous emission into the open air from a control device or stack associated with the affected facility which is equal to or greater than twenty (20) percent opacity.

Compliance Demonstration Method:

The permittee shall perform a qualitative visual observation of the opacity of emissions from the stack on a weekly basis and maintain a log of the observations. If visible emissions are seen from the stack (not including condensed water vapor within the plume), then the opacity shall be determined by Reference Method 9. If emissions are in excess of the applicable opacity limit, then an inspection shall be initiated of control equipment for all necessary repairs.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

3. Testing Requirements:

Testing shall be conducted at such times as may be required by the cabinet in accordance with Regulations 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 4.

4. Monitoring Requirements:

Daily monitoring of pressure drop across the filters shall be conducted.

5. Recordkeeping Requirements:

- a. Records shall be maintained of all opacity measurements including date and time. In addition, a log of the filters inspections shall be maintained at the source indicating the date of each inspection and if the filter is in proper working condition.
- b. Records shall be maintained of daily pressure drop across the filters.

6. Reporting Requirements:

Any exceedance in the particulate emissions rate or visible emissions standard specified in this permit shall be reported to the Division as soon as possible per SECTION F (7)(b) of this permit. In addition, the owner or operator shall certify, annually, whether the opacity measurements were conducted continuously or intermittently, and if intermittent, the frequency of such measurements.

See SECTION F(5)

7. Control Equipment Operating Conditions:

The filters used as the control equipment for this emission point shall be inspected to check for possible leaks or damage. Inspection of the filters shall consist of a daily check of the visible emissions, to confirm that the emissions are normal, as well as a quarterly visual inspection of the filters to determine whether they are in proper working condition. A leaking or damaged filter shall be replaced as soon as possible, while in compliance with SECTION G(f), Emergency Provisions, of this permit.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Powder Paint Process Line**

- EP 51 Powder Paint Booth** - Manual electrostatic spraying
Maximum Operating Rate: 57 lbs/hr
Construction commenced: 2005
Control Equipment: Primary Baghouse & a final HEPA filter
Overall Control Efficiency: 99%
- EP 01 Powder Paint Curing Oven, N.G. Fired** (Eclipse Engineering Heat Pack Burner)
Combustion exhaust and water vapor exit via emission point EP01
Rated Capacity: 2.50 mmBTU/hr
Installation Date: 1988
- EP 04 Dryoff Oven, N. G. Fired** (Maxon Corporation, Model 400)
Combustion exhaust and water vapor exit via emission point EP04
Rated Capacity: 3.5 mmBTU/hr
Installation Date: 2005
- EP 05 Powder Paint Burnoff, N. G. Fired** (Gusspro, Model#GO-484060)
Rated Capacity: 1.25 mmBTU/hr
Maximum Throughput: 1.00 lb/hr
(Painted Hooks)
Installation Date: 1998

Wet Paint Process Line

- EP 25 Paint Booth** – three BINKS MACH2 spray guns, one GRACO PRESIDENT Series spray gun
Spray Gun maximum rated capacity: 6.0 gallons/hr
Transfer Efficiency: 50%
Paint Booth Construction Date: 1971
Control Equipment: filter
PM/PM10 Control Efficiency: 90%
- EP 17 Parts Wash, N.G. Fired Heater** (Hosty Wash, Model#0892, Serial # 108365), rated @ 0.35 mmBTU/hr
Installation Date: 1982
- EP 53 HVAC Air Turnover Unit** (Eclipse Heat-Pak burner, catalog #250 HP, assembly # 109496), rated @ 2.50 mmBTU/hr
Installation Date: 1997
- EP 52 Electric Cabinet Wash** (Hansen, Model #40x48x2000-2-E, Serial # 398NL1129P), chemicals used contain no air pollutants
Wash Chemical Usage Rate: 0.50 gallon/hr
Installation Date: 1998

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP 54 **Electric Cabinet Wash** (Proceco Model # H-D42-48-E-2000-2, Serial # 95-244),
Chemicals used contain no air pollutants
Wash Chemical Usage Rate: 0.50 gallon/hr
Installation Date: 1995

Description:**Powder Paint Process Line**

The powder paint operation uses an electrostatic applicator. The powder paint is cured in the heated curing oven. There are no VOC's or other volatiles released from the electrostatic coating process. All PM overspray captured and returned to the spray powder reservoir. The air in the room and spray booth is captured by a 100% capture hood (room is the capture hood) and goes through a primary baghouse and a final HEPA filter. The air is then returned inside the building. The estimated efficiency of this control system is 99%.

Wet Paint Process Line

The wet paint booth uses solvent based paint (of various colors) along with solvent reducer to thin the paint to the consistency needed for the spray guns. The transfer efficiency is estimated at 50%. The remainder of the paint is captured on the filter media that lines the back of the spray booth.

APPLICABLE REGULATIONS:

401 KAR 59:010, New process operations, is applicable to each affected facility or source, associated with process operations, which are not subject to another emission standard with respect to particulate matter emissions commenced after July 2, 1975.

401 KAR 61:020, Existing process operations, is applicable to each affected facility or source, associated with process operations, which are not subject to another emission standard with respect to particulate matter emissions commenced before July 2, 1975.

1. Operating Limitations:

- a. The usage of raw materials shall be limited so that the Conditional Major emissions limitations set forth in Section D of this permit are not exceeded.
- b. The usage of raw materials in the affected facilities shall be limited so that the emissions limitations set forth in item 2, below, are not exceeded.
- c. The control devices shall be operated and maintained in accordance with the manufacturer's specification and shall be in place at all times when the affected facilities are in operation.
- d. Baghouse and Filters shall be replaced when determined to be inefficient.

2. Emission Limitations:

- a. For emissions from a control device or stack no person shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of 2.34 pounds/hour. [401 KAR 59:010, Section 3(2)(a)]

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Applicable only to EP 25:**

- b. For emissions from a control device or stack no person shall not cause, suffer, allow or permit the emission into the open air of particulate matter from any affected facility which is in excess of 2.58 pounds/hour. [401 KAR 61:020, Section 3(2)(a)]

Compliance Demonstration Method:

Compliance with the each mass emission limit is assumed when the baghouse and filter system control the emissions of particulate matter and are operated properly in accordance with manufacturer's specifications and/or standard operating procedures as approved by the Division.

- c. No person shall cause, suffer, allow or permit any continuous emission into the open air from a control device or stack associated with an affected facility which is equal to or greater than twenty (20) percent opacity. [401 KAR 59:010, Section 3(1)(a)]

Applicable only to EP 25:

- d. No person shall cause, suffer, allow or permit any continuous emission into the open air from a control device or stack associated with an affected facility which is equal to or greater than forty (40) percent opacity. [401 KAR 61:020, Section 3(1)(a)]

Compliance Demonstration Method:

The permittee shall perform a qualitative visual observation of the opacity of emissions from each stack on a weekly basis and maintain a log of the observations. If visible emissions are seen from the stack (not including condensed water vapor within the plume), then the opacity shall be determined by Reference Method 9. If emissions are in excess of the applicable opacity limit, then an inspection shall be initiated of control equipment for all necessary repairs.

- e. **HAP & VOC Conditional Major Emissions Limitations:**

See SECTION D of this permit.

3. Testing Requirements:

Testing shall be conducted at such times as may be required by the cabinet in accordance with Regulations 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 4.

4. Monitoring Requirements:

- a. The permittee shall continuously monitor the differential static pressure across the baghouse.
- b. The permittee shall visually monitor the baghouse on a daily basis to check the physical condition of the external unit.
- c. The permittee shall inspect the filters for possible leaks or damage. Inspection of the filters shall consist of a daily check of the visible emissions, to confirm that the emissions are normal.

5. Recordkeeping Requirements:

- a. The permittee shall maintain monthly records of the purchase and usage of the paints, thinners and solvents or any other VOC/HAP* containing material.
- b. At the end of each month, VOC/HAP* emissions shall be calculated and recorded.
- c. A rolling 12 months summary for each month showing tons of VOC/HAP* emitted shall be recorded.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- d. All instances of noncompliance with terms and conditions of this permit shall be recorded.
- e. All records, including MSDS for each material used shall be maintained by the source for the most recent two (2) year period. These records shall be made available to the cabinet or the U.S. EPA upon request.
- f. The permittee shall keep continuous records of the differential static pressure across the baghouse.
- g. The permittee shall keep records of any corrective actions taken while inspecting the physical conditions of the baghouse.
- h. Records shall be maintained of all opacity measurements including date and time. In addition, a log of the baghouse / filters inspections shall be maintained at the source indicating the date of each inspection and if the baghouse / filters are in proper working condition.

6. Reporting Requirements:

- a. Any deviations from requirements of Section B shall be reported quarterly. If no such instances have occurred during a particular quarter, a report stating this shall be submitted to the Division semiannually by January 30th and July 30th of each year.
- b. The following information shall be reported semiannually:
 - 1. The VOC/HAP* emissions calculation for each month.
 - 2. The rolling 12-month total of VOC/HAP* emissions.

7. Control Equipment Operating Conditions:

NA

8. Alternate Operating Scenarios:

NA

*Note: HAP emissions report shall include both single and combined HAPS.

SECTION B - EMISSION POINTS, EMISSION UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

EP 03 Three (3) Stage Wash Heater, Indirect heat exchanger, N.G. Fired (Maxon Corporation Tube-O-Therm Gas Burner, Serial# 722072, Assembly # 8T0T118)
Rated Capacity: 5.30 mmBTU/hr
Installation Date: 2005

Description: Compressor parts cleaning (aqueous solutions not solvent based)

APPLICABLE REGULATIONS:

401 KAR 59:015-New indirect heat exchangers. Applicable with respect to particulate emissions and sulfur dioxide emissions from each affected facility, EP 03, with a capacity of 250 mmBTU/hr or less and commenced on or after April 9, 1972.

1. Operating Limitations:

- a. The affected facility shall burn only natural gas.**

2. Emission Limitations:

- a. Emissions of particulate matter shall not exceed 0.56 lb/MMBTU actual heat input.
[401 KAR 59:015, Section 4(1)(c)]
- b. The opacity of visible emissions shall not exceed twenty (20) percent based on a six-minute average. [401 KAR 59:015, Section 4(2)]
- c. Emission of sulfur dioxide from each boiler shall not exceed 3.0 lb/MMBTU.
[401 KAR 59:015, Section 5(1)(c)]

Compliance Demonstration Method:

The affected facility shall be deemed in compliance with the allowable emission standards provided that only natural gas is burned as the fuel source.

3. Testing Requirements:

Testing shall be conducted at such times as may be required by the cabinet in accordance with Regulations 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 4.

4. Monitoring Requirements:

See Emission Limitations

5. Recordkeeping Requirements:

The permittee shall keep monthly records of the volume of natural gas burned. VOC emissions shall be calculated and recorded on a *monthly* basis. These records shall be summarized in tons per month VOC emissions; subsequently, tons of VOC emissions per rolling 12-month period shall be recorded. In addition, these records shall demonstrate compliance with VOC emission limitations listed herein for the conditional major limitations.

6. Reporting Requirements:

See SECTION F

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:030, Section 6. Although these activities are designated as insignificant the permittee must comply with the applicable regulation. Process and emission control equipment at each insignificant activity subject to an opacity standard shall be inspected monthly and a qualitative visible emissions evaluation made. Results of the inspection, evaluation, and any corrective action shall be recorded in a log.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. Space Heaters and Other Natural Gas Burners each <1.0 mmBTU/hr EP06 through EP26 Total Rating: 7.27 mmBTU/hr	N/A
2. Emergency Diesel Fire Pump 133 HP @ 2100 rpm Maximum Annual Operating Hours: 500 Construction Date: 2001	N/A
3. Gasoline Engine Final Test Maximum Capacity (hp-hr): 5.00 Maximum Annual Operating Hours: 500	N/A

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by Section 1b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26; compliance with annual emissions and processing limitations contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. Volatile organic compounds (VOC) and Hazardous Air Pollutants (HAP) emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.
3. To preclude the applicability of 401 KAR 52:020, *Title V Permits*, and to preclude the applicability of Regulation 401 KAR 59:225, the source-wide emissions of VOC shall not exceed ninety (90) tons during any consecutive twelve (12) month period. Total VOC emissions shall include emissions from insignificant activities.
4. To preclude applicability of Regulation 40 CFR Part 63, Subpart M-MMM-National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products, the source-wide emissions (including insignificant activities) of any individual Hazardous Air Pollutant (HAP) shall not exceed nine (9) tons during any consecutive twelve (12) month period. The source-wide emissions (including insignificant activities) of combined HAPs shall not exceed twenty-two and one-half (22.5) tons during any consecutive twelve (12) month period.

Compliance Demonstration Method -VOC and HAP:

$$\text{Emissions (VOC/HAP)} = \sum_{i=1}^n M_i \rho_i$$

Where M = pounds of material (primer, thinner, adhesive) applied at point i.

ρ = percent by weight of VOC/HAP in material; and

n = total number of emission points

Also include VOC emitted from natural gas combustion where:

$$\text{Emissions (VOC)} = (\text{VOC}_{\text{Emission Factor}} \text{ lb/MMft}^3) \times (\text{MMft}^3 \text{ natural gas burned/month})$$

$$\text{Source-wide VOC emissions} = \sum [\text{VOC emissions from paint and cleaning solvents}] + \sum [\text{VOC emissions from natural gas combustion}]$$

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

1. Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b-IV-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place (as defined in this permit), and time of sampling or measurements;
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [401 KAR 52:030 Section 3(1)(f)1a and Section 1a-7 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
3. In accordance with the requirements of 401 KAR 52:030 Section 3(1)f the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
 - b. To access and copy any records required by the permit;
 - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Sections 1b-V-1 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030, Section 26].

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:030 Section 22. If continuous emission and opacity monitors are required by regulation or this permit, data shall be reported in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards, notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards, notification shall be made as promptly as possible by telephone (or other electronic media) and shall be submitted in writing upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7 above) to the Regional Office listed on the front of this permit within 30 days. Deviations from permit requirements, including those previously reported under F.7 above, shall be included in the semiannual report required by F.6 [Sections 1b-V, 3 and 4 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
9. Pursuant to 401 KAR 52:030, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit in accordance with the following requirements:
 - a. Identification of each term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period.
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

SECTION F - MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

- f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications shall be mailed to the following addresses:

Division for Air Quality	Division for Air Quality
Bowling Green Regional Office	Central Files
1508 Westen Avenue	803 Schenkel Lane
Bowling Green, KY 42104	Frankfort, KY 40601

10. In accordance with 401KAR 52:030, Section 3(1)(d), the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee. If a KYEIS emission survey is not mailed to the permittee, then the permittee shall comply with all other emission reporting requirements in this permit.
11. The Cabinet may authorize the temporary use of an emission unit to replace a similar unit that is taken off-line for maintenance, if the following conditions are met:
- The owner or operator shall submit to the Cabinet, at least ten (10) days in advance of replacing a unit, the appropriate Forms DEP7007AI to DD that show:
 - The size and location of both the original and replacement units; and
 - Any resulting change in emissions;
 - The potential to emit (PTE) of the replacement unit shall not exceed that of the original unit by more than twenty-five (25) percent of a major source threshold, and the emissions from the unit shall not cause the source to exceed the emissions allowable under the permit;
 - The PTE of the replacement unit or the resulting PTE of the source shall not subject the source to a new applicable requirement;
 - The replacement unit shall comply with all applicable requirements; and
 - The source shall notify Regional office of all shutdowns and start-ups.
 - Within six (6) months after installing the replacement unit, the owner or operator shall:
 - Re-install the original unit and remove or dismantle the replacement unit; or
 - Submit an application to permit the replacement unit as a permanent change.

SECTION G - GENERAL PROVISIONS**1. General Compliance Requirements**

- a. The permittee shall comply with all conditions of this permit. A noncompliance shall be a violation of 401 KAR 52:030 Section 3(1)(b) and a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act). Noncompliance with this permit is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision, or denial of a permit [Section 1a-2 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
- b. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a-5 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
- c. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:030 Section 18. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - (1) If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:030 Section 12;
 - (2) The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - (3) The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

- d. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or to determine compliance with the conditions of this permit [Sections 1a- 6 and 7 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
- e. Emission units described in this permit shall demonstrate compliance with applicable requirements if requested by the Division [401 KAR 52:030 Section 3(1)(c)].

SECTION G - GENERAL PROVISIONS (CONTINUED)

- f. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority [401 KAR 52:030 Section 7(1)].
- g. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a-11 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
- h. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a-3 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
- i. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens. [Section 1a-12-b of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
- j. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038 Section 3(6) [Section 1a-9 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
- k. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:030 Section 11(3)].
- l. This permit does not convey property rights or exclusive privileges [Section 1a-8 of the *Cabinet Provisions and Procedures for Issuing Federally-Enforceable Permits for Non-Major Sources* incorporated by reference in 401 KAR 52:030 Section 26].
- m. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Cabinet or any other federal, state, or local agency.
- n. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry.
- o. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders.

SECTION G - GENERAL PROVISIONS (CONTINUED)

- p. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic Minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source.
- q. Pursuant to 401 KAR 52:030, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of this permit shall be considered compliance with:
 - (1) Applicable requirements that are included and specifically identified in this permit; and
 - (2) Non-applicable requirements expressly identified in this permit.

2. Permit Expiration and Reapplication Requirements

- a. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:030 Section 12].
- b. The authority to operate granted through this permit shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:030 Section 8(2)].

3. Permit Revisions

- a. Minor permit revision procedures specified in 401 KAR 52:030 Section 14(3) may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:030 Section 14(2).
- b. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

4. Construction, Start-Up, and Initial Compliance Demonstration Requirements

No construction authorized by this permit.

SECTION G - GENERAL PROVISIONS (CONTINUED)**5. Testing Requirements**

- a. Pursuant to 401 KAR 50:045 Section 2, a source required to conduct a performance test shall submit a completed Compliance Test Protocol form, DEP form 6028, or a test protocol a source has developed for submission to other regulatory agencies, in a format approved by the cabinet, to the Division's Frankfort Central Office a minimum of sixty (60) days prior to the scheduled test date. Pursuant to 401 KAR 50:045, Section 7, the Division shall be notified of the actual test date at least Thirty (30) days prior to the test.
- b. Pursuant to 401 KAR 50:045 Section 5, in order to demonstrate that a source is capable of complying with a standard at all times, any required performance test shall be conducted under normal conditions that are representative of the source's operations and create the highest rate of emissions. If [When] the maximum production rate represents a source's highest emissions rate and a performance test is conducted at less than the maximum production rate, a source shall be limited to a production rate of no greater than 110 percent of the average production rate during the performance tests. If and when the facility is capable of operation at the rate specified in the application, the source may retest to demonstrate compliance at the new production rate. The Division for Air Quality may waive these requirements on a case-by-case basis if the source demonstrates to the Division's satisfaction that the source is in compliance with all applicable requirements.
- c. Results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days or sooner if required by an applicable standard, after the completion of the fieldwork.

6. Acid Rain Program Requirements

- a. If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

7. Emergency Provisions

- a. Pursuant to 401 KAR 52:030 Section 23(1), an emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - (1) An emergency occurred and the permittee can identify the cause of the emergency;
 - (2) The permitted facility was at the time being properly operated;
 - (3) During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
 - (4) The permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division within two (2) working days of the time when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken.

SECTION G - GENERAL PROVISIONS (CONTINUED)

- (5) Notification of the Division does not relieve the source of any other local, state or federal notification requirements.
 - b. Emergency conditions listed in General Provision G.7.a above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:030 Section 23(3)].
 - c. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:030 Section 23(2)].
8. Ozone depleting substances
- a. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - (1) Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - (2) Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - (3) Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - (4) Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
 - (5) Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - (6) Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
 - b. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, *Servicing of Motor Vehicle Air Conditioners*.
9. Risk Management Provisions
- a. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center
P.O. Box 1515
Lanham-Seabrook, MD 20703-1515.

SECTION G - GENERAL PROVISIONS (CONTINUED)

- b. If requested, submit additional relevant information to the Division or the U.S. EPA.

SECTION H - ALTERNATE OPERATING SCENARIOS

NA

SECTION I - COMPLIANCE SCHEDULE

NA